

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BIGLER JOBE STOUFFER,)	
)	
Plaintiff,)	Case No. 21-CV-1000-F
)	
vs.)	
)	
SCOTT CROW, et al.)	
)	
Defendants.)	

**CAPITAL CASE
PENDING EXECUTION DATE:
DECEMBER 9, 2021**

PLAINTIFF’S EXHIBIT LIST

Plaintiff Bigler Jobe Stouffer respectfully submits his Exhibit List for the Motion on hearing for Preliminary Injunction, set for November 22, 2021.

1. Motion for Additional Plaintiff to Proceedings, filed in *Warner v. Gross* (now *Glossip v. Chandler*), Case 5:14-cv-00665-F, on November 20, 2014 (“*Glossip*”), as Document 107 therein (Doc 39-1 in this action).
2. Defendant’s Objection to Motion for Additional Plaintiff to Proceedings, filed in *Glossip*, on December 11, 2014, as Document 151 therein (Doc. 39-2 in this action).
3. Reply to Objections Filed 12/11/2014, filed in *Glossip*, on December 19, 2014, as Document 169 therein (Doc. 39-3 in this action).
4. Order, filed in *Glossip*, on December 22, 2014, as Document 171 therein (Doc. 39-4 in this action).
5. Joint Stipulation for Administrative Closing of Case, filed in *Glossip* on October 16, 2015, as Document 259 therein (Doc. 39-5 in this action).
6. Order Granting Joint Stipulation, filed in *Glossip* on October 16, 2015, as Document 160 therein (Doc. 39-6 in this action).

7. Notice Pursuant to 22 O.S. 2011, § 1001.1, Regarding Execution Date, in *Stouffer v. State of Oklahoma*, Case No. D-2003-277, Court of Criminal Appeals, State of Oklahoma (“*Stouffer v. State*”), filed March 6, 2017 (Doc. 39-7 in this action).
8. Transcript of Hearing on May 5, 2020, filed in *Glossip* on May 21, 2021, as Document 321 therein (Doc. 39-8 in this action).
9. Notice Pursuant to 22 O.S. 2021, § 1001.1(D) Regarding Execution Date, in *Stouffer v. State*, filed August 25, 2021 (Doc. 39-9 in this action).
10. Objection to Notice Pursuant to 22 O.S. 2021, § 1001.1(D) Regarding Execution Date, in *Stouffer v. State*, filed August 30, 2021 (Doc. 39-10 in this action).
11. Reply to Appellant’s Objection to Setting of Execution Date, in *Stouffer v. State*, filed August 31, 2021 (Doc. 39-11 in this action).
12. Supplemental Notice Regarding Execution Date, in *Stouffer v. State*, filed September 3, 2021 (Doc. 39-12 in this action).
13. Order Setting Execution Dates Pursuant to 22 O.S.2011, § 1001.1, in *Stouffer v. State*, filed September 20, 2021 (corrected exhibit being submitted).
14. Transcript of Hearing on Motion for Preliminary Injunction, dated October 25, 2021, in *Glossip*.(Doc. 39-14 herein)
15. (Doc. 388 in *Glossip*). MOTION for Summary Judgment by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, Tommy Sharp, T Hastings Siegfried, Daryl Woodard. (Attachments: # [1](#) Exhibit 1 - Protocol OP-040301, # [2](#) Exhibit 2 - Crow Depo 30b6 Tran_Excerpts, # [3](#) Exhibit 3 - Buffington Report, # [4](#) Exhibit 4 - Stevens Report 2021, # [5](#) Exhibit 5 - Weinberger Report, # [6](#) Exhibit 6 - Stevens Depo Tran_Excerpts, # [7](#) Exhibit 7 - Antognini Report, # [8](#) Exhibit 8 - Yen Report, # [9](#) Exhibit 9 - Weinberger Depo Tran_Excerpts, # [10](#) Exhibit 10 - Antognini Depo Tran_Excerpts, # [11](#) Exhibit 11 - Declaration of Pat Doe, # [12](#) Exhibit 12 - Warner Autopsy, # [13](#) Exhibit 13 - Fins Depo Tran_Excerpt, # [14](#) Exhibit 14 - Ohio Stevens Report, # [15](#) Exhibit 15 - Edgar Depo Tran, # [16](#) Exhibit 16 - Edgar Report, # [17](#) Exhibit 17 - Block Report, # [18](#) Exhibit 18 - MCGJ-Interim-Report-5-19-16, # [19](#) Exhibit 19 - Crow Depo Indiv Tran_Excerpts, # [20](#) Exhibit 20 - Bentley Depo Tran, # [21](#) Exhibit 21 - Arizona Report, # [22](#) Exhibit 22 - Ohio Report, # [23](#) Exhibit 23 - Williams Report, # [24](#) Exhibit 24 - Williams Depo Tran, # [25](#) Exhibit 25 - Utah Protocol, # [26](#) Exhibit 26 - Pls' Interrogatory Response, # [27](#) Exhibit 27 - Sherman Report, # [28](#) Exhibit 28 - Sherman Depo Tran_Excerpt, # [29](#) Exhibit 29 - Ruling on PI Hrg)(Mansinghani, Mithun) (Entered: 02/19/2021)

16. (Doc. 389 in Glossip). APPENDIX re [388](#) MOTION for Summary Judgment by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, Tommy Sharp, T Hastings Siegfried, Daryl Woodard. (Attachments: # [1](#) Exhibit 1 - ASA 2019, # [2](#) Exhibit 2 - Brown 2019, # [3](#) Exhibit 3 - Hospira 2020 Midazolam PI - 2020, # [4](#) Exhibit 4 - Baselt Midazolam 2011, # [5](#) Exhibit 5 - Vuyk 2019, # [6](#) Exhibit 6 - Reves-1985-MDZ-uses, # [7](#) Exhibit 7 - White-RSI-MDZ-1982, # [8](#) Exhibit 8 - Michaloudis 1996, # [9](#) Exhibit 9 - Ibrahim, # [10](#) Exhibit 10 - Kang, # [11](#) Exhibit 11 - Blackmon, # [12](#) Exhibit 12 - Reves-1978, # [13](#) Exhibit 13 - Glass-et-al-1997, # [14](#) Exhibit 14 - Kuizenga-2001, # [15](#) Exhibit 15 - Miyake-2010, # [16](#) Exhibit 16 - Rafee 2017, # [17](#) Exhibit 17 - Gehrke, # [18](#) Exhibit 18 - Liu 1996, # [19](#) Exhibit 19 - Bulach 2005, # [20](#) Exhibit 20 - Eisenried-2020-remimazolam, # [21](#) Exhibit 21 - Eisenried-2020-remimazolam (Supp), # [22](#) Exhibit 22 - Schuttler, # [23](#) Exhibit 23 - Melvin, # [24](#) Exhibit 24 - Turgut-2006, # [25](#) Exhibit 25 - Song-2011, # [26](#) Exhibit 26 - Manning-NGT-MDZ-2016, # [27](#) Exhibit 27 - Ellison-1958, # [28](#) Exhibit 28 - Heier-2001, # [29](#) Exhibit 29 -- Lankton)(Mansinghani, Mithun) (Entered: 02/19/2021)
17. (Doc. 422 in Glossip). BRIEF IN SUPPORT re [388](#) MOTION for Summary Judgment *pursuant to Order* [421](#) by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, Tommy Sharp, T Hastings Siegfried, Daryl Woodard. (Attachments: # [1](#) Exhibit 1 - Supplemental Responses, # [2](#) Exhibit 2 - Alternatives Chart, # [3](#) Exhibit 3 - Buffington Depo Excerpt)(Mansinghani, Mithun) (Entered: 05/07/2021)
18. (Doc. 425 in Glossip). RESPONSE in Opposition re [388](#) MOTION for Summary Judgment filed by Brenda E Andrew, Ronson Kyle Bush, Jemaine Cannon, James A Coddington, Benjamin R Cole, Carlos Cuesta-Rodriguez, Nicholas A Davis, Scott Eizember, Richard S Fairchild, Richard E Glossip, Clarence Goode, Donald Anthony Grant, John M Grant, Wendell A Grissom, Phillip D Hancock, John F Hanson, Marlon D Harmon, Jimmy Dean Harris, Shelton D Jackson, Raymond E Johnson, Julius D Jones, Emmanuel A Littlejohn, Ricky Ray Malone, Mica Alexander Martinez, Alfred B Mitchell, Patrick Murphy, James D Pavatt, Gilbert Ray Postelle, Richard Rojem, James Ryder, Anthony Sanchez, Kendrick A Simpson, Michael Dewayne Smith, Kevin R Underwood, Charles F Warner, Tremane Wood. (Attachments: # [1](#) Exhibit 1 - Excerpts_Ok Death Penalty Commission Report (2017), # [2](#) Exhibit 2 - Excerpts_Antognini Dep. Tr., # [3](#) Exhibit 3 - Excerpts_Buffington Dep. Tr., # [4](#) Exhibit 4 - Shenandoah ltr re Buffington, # [5](#) Exhibit 5 - Excerpt_Weinberger Dep. Tr., # [6](#) Exhibit 6 - Russell

1986 (Weinberger Dep. Tr. Ex. 29), # [7](#) Exhibit 7 - Russell 1993 (Weinberger Dep. Tr. Ex. 51), # [8](#) Exhibit 8 - Wilkinson Report, # [9](#) Exhibit 9 - Filed Under Seal Pursuant to [Doc. 90], # [10](#) Exhibit 10 - Filed Under Seal Pursuant to [Doc. 90], # [11](#) Exhibit 11 - Excerpts_Yen Dep. Tr., # [12](#) Exhibit 12 - BuzzFeed News Article 11-28-18, # [13](#) Exhibit 13 - 2020-08-20 AZ Gov Ducey ltr re pentobarbital, # [14](#) Exhibit 14 - 2021-01-11 Fins Expert Report & Exhibits, # [15](#) Exhibit 15 - Divoll 1981, # [16](#) Exhibit 16 - Greenblatt 1977, # [17](#) Exhibit 17 - Schultz 2012, # [18](#) Exhibit 18 - Pls Suppl Interrog Resps, # [19](#) Exhibit 19 - Excerpts_DOC Formulary Dec 2020, # [20](#) Exhibit 20 - Smith 2019)(Lieberman, Michael) (Entered: 05/14/2021)

19. (Glossip Doc. 426). SEALED EXHIBIT by Plaintiffs Brenda E Andrew, Ronson Kyle Bush, Jemaine Cannon, James A Coddington, Benjamin R Cole, Carlos Cuesta-Rodriguez, Scott Eizember, Richard S Fairchild, Richard E Glossip, Clarence Goode, Donald Anthony Grant, John M Grant, Wendell A Grissom, Phillip D Hancock, John F Hanson, Marlon D Harmon, Jimmy Dean Harris, Shelton D Jackson, Raymond E Johnson, Julius D Jones, Emmanuel A Littlejohn, Ricky Ray Malone, Mica Alexander Martinez, James D Pavatt, Gilbert Ray Postelle, Richard Rojem, James Ryder, Anthony Sanchez, Kendrick A Simpson, Michael Dewayne Smith, Kevin R Underwood, Charles F Warner, Tremane Wood Re: [425](#) Response in Opposition to Motion,,,,,, (Lieberman, Michael) (Entered: 05/14/2021)

20. (Glossip Doc. 427). SEALED EXHIBIT by Plaintiffs Brenda E Andrew, Ronson Kyle Bush, Jemaine Cannon, James A Coddington, Benjamin R Cole, Carlos Cuesta-Rodriguez, Scott Eizember, Richard S Fairchild, Richard E Glossip, Clarence Goode, Donald Anthony Grant, John M Grant, Wendell A Grissom, Phillip D Hancock, John F Hanson, Marlon D Harmon, Jimmy Dean Harris, Shelton D Jackson, Raymond E Johnson, Julius D Jones, Emmanuel A Littlejohn, Ricky Ray Malone, Mica Alexander Martinez, Alfred B Mitchell, James D Pavatt, Gilbert Ray Postelle, Richard Rojem, James Ryder, Anthony Sanchez, Kendrick A Simpson, Michael Dewayne Smith, Kevin R Underwood, Charles F Warner, Tremane Wood Re: [425](#) Response in Opposition to Motion,,,,,, (Lieberman, Michael) (Entered: 05/14/2021)

21. (Glossip Doc. 433). REPLY to Response to Motion re [388](#) MOTION for Summary Judgment filed by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, Tommy Sharp, T Hastings Siegfried, Daryl Woodard. (Attachments: # [1](#) Exhibit 1-Mihic Ch 19_Hypnotics and Sedatives, # [2](#) Exhibit 2-Antognini Depo Excerpts, # [3](#) Exhibit 3-Crow 30b6

- 5-Wilkinson Depo Excerpts, # 6 Exhibit 6-Fins Depo Excerpts)(Mansinghani, Mithun) (Entered: 05/27/2021)
(Glossip Doc. 437). SUPPLEMENT re [425](#) Response in Opposition to Motion,,,,,, *Exhibit 18* by Brenda E Andrew, Ronson Kyle Bush, Jemaine Cannon, James A Coddington, Benjamin R Cole, Carlos Cuesta-Rodriguez, Nicholas A Davis, Scott Eizember, Richard S Fairchild, Richard E Glossip, Clarence Goode, Donald Anthony Grant, John M Grant, Wendell A Grissom, Phillip D Hancock, John F Hanson, Marlon D Harmon, Jimmy Dean Harris, Shelton D Jackson, Raymond E Johnson, Julius D Jones, Emmanuel A Littlejohn, Ricky Ray Malone, Mica Alexander Martinez, Alfred B Mitchell, Patrick Murphy, James D Pavatt, Gilbert Ray Postelle, Richard Rojem, James Ryder, Anthony Sanchez, Kendrick A Simpson, Michael Dewayne Smith, Kevin R Underwood, Charles F Warner, Tremane Wood. (Rolls, Emma) (Entered: 06/21/2021)
- 22.
23. (Glossip Doc. 449). ORDER granting in part and denying in part [388](#) Defendants' Motion for Summary Judgment (as fully set out in this order). Signed by Honorable Stephen P. Friot on 8/11/2021. (llg) (Entered: 08/11/2021).
24. (Glossip Doc. 506). MOTION for Preliminary Injunction *and Brief in Support* by Donald Anthony Grant, John M Grant, Julius D Jones, Gilbert Ray Postelle. (Rolls, Emma) (Entered: 10/20/2021)
25. (Glossip Doc. 511). RESPONSE in Support re [510](#) MOTION for Order *for Preliminary Injunction* filed by All Plaintiffs. (Rolls, Emma) (Entered: 10/21/2021)
26. (Glossip Doc. 520). MOTION in Limine by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Jim Farris, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, T Hastings Siegfried, Daryl Woodard. (Cleveland, Bryan) (Entered: 10/22/2021)
27. (Glossip Doc. 521). RESPONSE in Opposition re [506](#) MOTION for Preliminary Injunction *and Brief in Support* filed by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Jim Farris, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, T Hastings Siegfried, Daryl Woodard. (Mansinghani, Mithun) (Entered: 10/23/2021)
28. (Glossip Doc. 523) Exhibit List / Witness List by Defendants Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Jim Farris, Justin Farris, Betty

Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, T Hastings Siegfried, Daryl Woodard. (Mansinghani, Mithun) (Entered: 10/23/2021)

29. (Glossip Doc. 526). MOTION for Leave to *File an Amended Witness and Exhibit List* by All Plaintiffs. (Attachments: # [1](#) Attachment Proposed Plaintiffs' Amended Combined Witness and Exhibit List)(Rolls, Emma) (Entered: 10/23/2021)
30. (Glossip Doc. 527). ORDER granting [526](#) Plaintiffs' Motion for Leave to File an Amended Plaintiffs' Combined Witness and Exhibit List. Plfs are directed to promptly file the amended list. Signed by Judge Stephen P. Friot on 10/23/2021. (llg) (Entered: 10/23/2021)
31. (Glossip Doc. 528). Exhibit List / Witness List (*AMENDED*) by Plaintiffs Brenda E Andrew, Ronson Kyle Bush, Jemaine Cannon, James A Coddington, Benjamin R Cole, Carlos Cuesta-Rodriguez, Nicholas A Davis, Scott Eizember, Richard S Fairchild, Richard E Glossip, Clarence Goode, Donald Anthony Grant, John M Grant, Wendell A Grissom, Phillip D Hancock, John F Hanson, Marlon D Harmon, Jimmy Dean Harris, Shelton D Jackson, Raymond E Johnson, Julius D Jones, Rhonda Kemp, Wade Lay, Emmanuel A Littlejohn, Ricky Ray Malone, Mica Alexander Martinez, Alfred B Mitchell, Patrick Murphy, James D Pavatt, Gilbert Ray Postelle, Richard Rojem, James Ryder, Anthony Sanchez, Kendrick A Simpson, Michael Dewayne Smith, Kevin R Underwood, Charles F Warner, Tremane Wood. (Rolls, Emma) (Entered: 10/23/2021)
32. (Glossip Doc. 529). RESPONSE to Motion re [520](#) MOTION in Limine filed by Donald Anthony Grant, John M Grant, Julius D Jones, Rhonda Kemp, Wade Lay, Gilbert Ray Postelle. (Rolls, Emma) (Entered: 10/23/2021)
33. (Glossip Doc. 530). REPLY to Response to Motion re [520](#) MOTION in Limine filed by Michael Carpenter, Randy Chandler, Scott Crow, Aboutanaa El Habti, Jim Farris, Justin Farris, Betty Gesell, Justin Giudice, Joseph Griffin, F Lynn Haueter, Kathryn A LaFortune, Stephan Moore, Calvin Prince, T Hastings Siegfried, Daryl Woodard. (Cleveland, Bryan) (Entered: 10/24/2021)
34. (Glossip Doc. 531). Minute Order. Proceedings held before Judge Stephen P. Friot: Motion Hearing held on 10/25/2021. [520](#) Defendants' Motion in Limine to Exclude Plaintiffs' Proposed Witness and Exhibits is DENIED, for the reasons set out in detail on the record. [506](#) The Motion and Brief in Support for Preliminary Injunction on Behalf of Plaintiffs Donald Grant, John Grant, Julius Jones, and Gilbert Postelle, as joined in by Wade Lay, is DENIED, for the reasons set out in detail on the record. A written order will follow. The court defers ruling on [525](#) Plaintiffs' Emergency Motion to Preserve Evidence of the Execution of

John Marion Grant. (Court Reporter Tracy Thompson.) (llg) (Entered: 10/25/2021)

35. (Glossip Doc. 532). ORDER ON SECOND MOTION FOR PRELIMINARY INJUNCTION re [506](#) MOTION for Preliminary Injunction *and Brief in Support*, re [531](#) Minute Order on Motion for Preliminary Injunction. Follows oral order of 10/25/2021. Signed by Judge Stephen P. Friot on 10/25/2021. (llg) (Entered: 10/25/2021).
36. Transcript of Hearing, dated October 20, 2021, in Glossip.
37. Stouffer's First Amended Complaint.
38. Execution of Inmates Sentenced to Death, Effective Date 02/20/2020 (Execution Protocol).
39. Letter dated June 14, 2021 from the Oklahoma Dept. of Corrections to Reverend Howard Potts approving him to provide clergy services to Mr. Stouffer.
40. A group of documents consisting of five pages detailing Mr. Stouffer's Requests to Staff and DOC responses to have Reverend Potts lay hands upon him and pray during the execution.
41. (Glossip Doc. 551) EMERGENCY MOTION for Preliminary Injunction *on Behalf of Plaintiff Julius Jones and other Religious Objector Plaintiffs on the Supplemental Record of the Execution of John Grant* by Julius D Jones. (Attachments: # [1](#) Exhibit Exhibit 1, # [2](#) Exhibit Exhibit 2, # [3](#) Exhibit Exhibit 3, # [4](#) Exhibit Exhibit 4)(Lieberman, Michael) (Entered: 11/18/2021).
42. Affidavit of Bigler Jobe Stouffer.
43. Letters exchanged between Glossip Plaintiffs' counsel and Stouffer.
44. Affidavit of Mark Barrett.

Respectfully submitted this 19th day of November, 2021
by

s/ Gregory W. Laird

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COUNSEL FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of November,2021:

I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing and transmittal of Electronic Filing to all counsel of record who are registered participants in the Electronic Case Filing System.

/s/ David A Tank

David A Tank